



# **CITY OF HAYWARD**

## **AGENDA REPORT**

AGENDA DATE 06/13/00

AGENDA ITEM 5

WORK SESSION ITEM \_\_\_\_\_

**TO:** Mayor and City Council

**FROM:** Director of Community and Economic Development

**SUBJECT:** Utility Service Agreement 00-2 - Mary and John Caldwell (Applicants) Maureen Rhead (Owner) - Authorize the City Manager to Execute a Utility Service Agreement for Water and Sewer Service at 28065 Quercus Court

### **RECOMMENDATION:**

It is recommended that the City Council:

- 1) Authorize the City Manager to execute a Public Street Improvement Agreement for the property at 28065 Quercus Court;
- 2) Authorize the City Manager to execute a Utility Service Agreement to provide water and sewer service to the property at 28065 Quercus Court; and
- 3) Direct staff to apply to the Local Agency Formation Commission (LAFCO) for approval of the Utility Service Agreements.

### **DISCUSSION:**

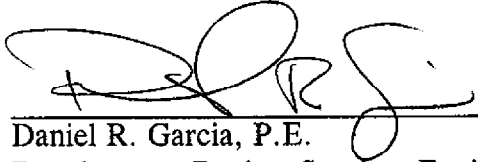
The applicant has requested sewer and water service for the property at 28065 Quercus Court. The City has an outfall sewer that is located at the intersection of Fairview Avenue and Arbutus Court. The applicant proposes to connect to Benefit District 407-95 that currently serves seven residents in the same Castle Homes area. Public Works has indicated that the sewer main has adequate capacity to serve the proposed single-family home.

The City presently has a water main in Quercus Court with adequate capacity to serve the site. On January 24, 1954, the City entered into an agreement with Castle Homes, of which both Benefit District 407-95 and the applicant's property at 28065 Quercus Court are a part. This agreement requires the City to maintain a sufficient water supply for the property, subject to a utility service agreement and reasonable conditions.

The applicant has executed agreements committing to install frontage improvements and tie-in paving at a future date and agreeing to annex when and if requested by the City. This is consistent with past agreements approved for providing utility service to properties outside the City limits.

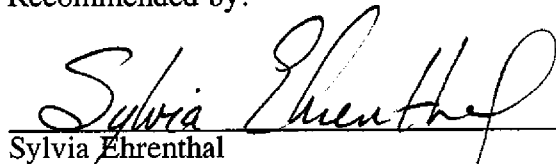
The property is 1.8 acres in size. This application is categorically exempt per CEQA Guidelines Section 15301(b) (existing facilities of a publicly owned utility). Upon approval by Council the City will need to apply to LAFCO for approval of the agreement. The applicant will pay all LAFCO processing costs.

Prepared by:



Daniel R. Garcia, P.E.  
Development Review Services Engineer

Recommended by:



Sylvia Ehrenthal  
Director of Community and Economic Development

Approved by:



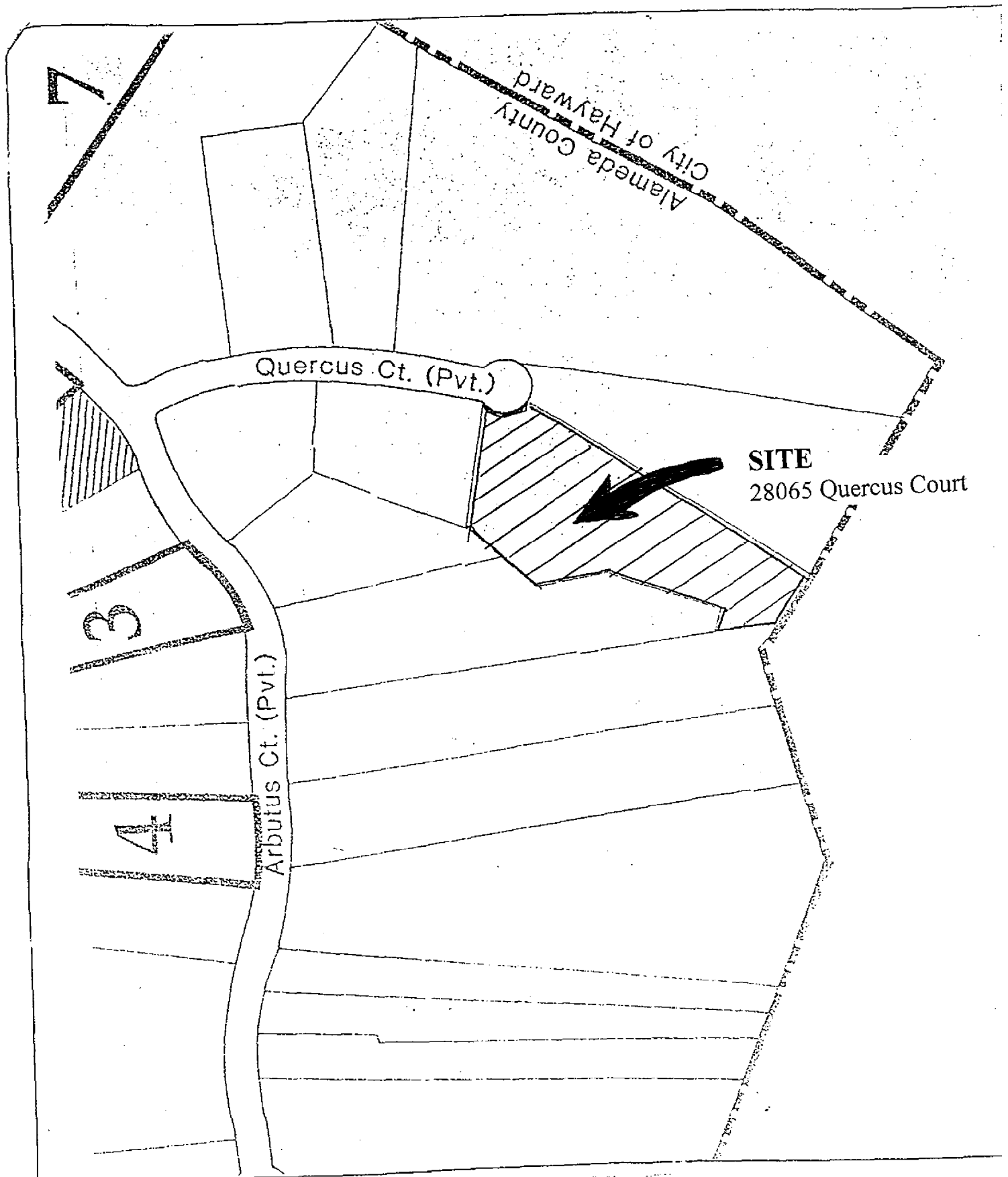
Jesús Armas, City Manager

Attachments:

Area Map

Draft Resolution

6.6.00



### AREA MAP – USA 00-2

Marv and John Caldwell (Applicant) – Maureen Rhead (Owner)  
28065 Quercus Court

# DRAFT

HAYWARD CITY COUNCIL

RESOLUTION NO. \_\_\_\_\_

Introduced by Council Member \_\_\_\_\_

RESOLUTION AUTHORIZING THE CITY MANAGER TO APPLY TO LAFCO FOR APPROVAL OF A UTILITY SERVICE AGREEMENT (USA 00-2) TO PROVIDE WATER AND SEWER SERVICES TO PROPERTY LOCATED AT 28065 QUERCUS COURT; AND FURTHER AUTHORIZING THE CITY MANAGER TO EXECUTE SUCH AGREEMENT, AS WELL AS AN AGREEMENT FOR COMPLETION OF PUBLIC STREET IMPROVEMENTS

WHEREAS, Mary and John Caldwell (Applicants) and Maureen Rhead (Owner) has requested sewer and water service for the property located at 28065 Quercus Court; and

WHEREAS, pursuant to City policy, the applicant has executed an agreement to install street improvements across the property frontage at a future date and agreed to annex when requested by City; and

WHEREAS, the City is required to apply to LAFCO for approval of the utility service agreement, for which the applicant has agreed to pay.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Hayward that the City Manager is authorized to file an application with the Alameda County Local Agency Formation Commission ("LAFCO") for approval of Utility Service Agreement 00-2 in connection with property located at 28065 Quercus Court.

BE IT FURTHER RESOLVED that the City Manager is also authorized to execute a utility service agreement and public street improvement agreement in the form of the agreements on file in the office of the City Clerk, to which reference may be made for further particulars, following the LAFCO's approval of the utility service agreement pursuant to Government Code section 56133.

IN COUNCIL, HAYWARD, CALIFORNIA \_\_\_\_\_, 2000

ADOPTED BY THE FOLLOWING VOTE:

AYES:

NOES:

ABSTAIN:

ABSENT:

ATTEST: \_\_\_\_\_  
City Clerk of the City of Hayward

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney of the City of Hayward